

COURT ORDERED VOIR DIRE
TO BE USED BY THE JUDGE AT TRIAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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An Individual Known to the Defendant as)	
08~mist096.jpg and 08~mist067.jpg)	PLAINTIFF'S
)	COURT ORDERED
Plaintiff,)	VOIRE DIRE
)	
v.)	
)	Index 08-CV-917
Jon David Falso,)	
)	
Defendant.)	
-----	X	

NAMES AND ADDRESSES OF ALL PARTIES TO THE LAWSUIT

On March 4, 2009, this Court ordered that:

- (1) Plaintiff's application for leave to proceed in this action anonymously, through use of a pseudonym, is hereby GRANTED, *nunc pro tunc* to the date of filing of the action.
- (2) Plaintiff's true identity shall be protected in this action, and no document exchanged or filed with the court shall reveal plaintiff's true identity, but instead should refer to her anonymously, including through use of the pseudonym under which she now sues.

Plaintiff can be contacted through counsel at the address below.

**YOUR NAME, FIRM NAME, ADDRESS AND THE NAME OF ANY PARTNER OR ASSOCIATE
WHO MAY BE AT COUNSEL TABLE DURING THE COURSE OF THE TRIAL**

James R. Marsh

THE MARSH LAW FIRM PLLC
PO Box 4668 #65135
New York, New York 10163-4668

Laura Dempsey may be at counsel table during the course of the trial

**SET FORTH THE DATE OF THE OCCURRENCE, THE PLACE OF THE OCCURRENCE AND
A BRIEF STATEMENT OF THE EVENTS CENTRAL TO THE LITIGATION**

On June 8, 2005, Defendant was arrested for violating federal child pornography statutes. Among the images in Defendant's possession at the time of his arrest were two images of

Plaintiff. On June 16, 2005, Defendant was indicted for 222 counts of receiving child pornography in violation of 18 U.S.C. § 2252A(a)(2)(A) and (B) and 18 U.S.C. § 2256. The pictures of Plaintiff were included in the charges. In February 2006, Defendant pleaded guilty to all counts in the Indictment. Defendant was sentenced to 30 years' imprisonment. In August 2008, Plaintiff commenced the instant action pursuant to 18 U.S.C. § 2252A(f) and 18 U.S.C. § 2255(a).

SET FORTH THE NAMES AND ADDRESSES OF ALL LAY WITNESSES TO BE CALLED

Plaintiff will not be calling any lay witnesses.

SET FORTH THE NAMES AND ADDRESSES OF ALL EXPERT WITNESSES TO BE CALLED GIVING A BRIEF DESCRIPTION OF THEIR AREAS OF EXPERTISE.

Stan V. Smith, Ph.D.
Forensic Economist
Smith Economics Group, Ltd.
1165 N Clark Ste 600
Chicago, IL 60610-7918
Expert in economics testifying concerning Plaintiff's damages

Joyanna Silberg, Ph. D.
Childhood Recovery Resources
6501 N Charles St
PO Box 6815
Baltimore MD 21285-6815
Expert in child sexual abuse testifying concerning Plaintiff's damages

SET FORTH A BRIEF DESCRIPTION OF EACH AND EVERY CAUSE OF ACTION IN THE COMPLAINT

PLAINTIFF'S FIRST CAUSE OF ACTION UNDER 18 U.S.C. § 2255(a) FOR VIOLATION OF 18 U.S.C. § 2252A(a)(2)(A) AND (B)

The Plaintiff suffered and continues to suffer personal injury as a result of the Defendant's admitted violations of the federal criminal child pornography statutes and is entitled, including without limitation, to damages of no less than \$150,000 in value, the cost of the suit including a reasonable attorney's fee, plus prejudgment and postjudgment interest, any other losses in an amount to be ascertained according to proof at trial, and such other relief as the Court deems appropriate.

PLAINTIFF'S SECOND CAUSE OF ACTION UNDER 18 U.S.C. § 2252A(f) FOR VIOLATION OF
18 U.S.C. § 2252A(a)(2)(A) AND (B)

The Plaintiff suffered and continues to suffer damages as a result of the Defendants' admitted violations of the federal criminal child pornography statutes and is entitled, including without limitation, to compensatory and punitive damages, the costs of this action and reasonable fees for attorneys and expert witnesses, plus prejudgment and postjudgment interest, any other losses in an amount to be ascertained according to proof at trial, and such other relief as the Court deems appropriate.

**SET FORTH A BRIEF DESCRIPTION OF EACH AND EVERY AFFIRMATIVE DEFENSE
ASSERTED AS WELL AS A STATEMENT ADDRESSING ANY COUNTERCLAIMS RAISED IN
THE ANSWER**

Not applicable

DATED: January 25, 2010

Respectfully submitted,

s/James R. Marsh

James R. Marsh, Bar Number: 514012
Attorney for the Plaintiff

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